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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,211	03/14/2001	Thomas D. Erickson	YOR9-2000-0671US1 (8728-4)	3294
46069 7590 08/23/2007 F. CHAU & ASSOCIATES, LLC 130 WOODBURY ROAD WOODBURY, NY 11797			EXAMINER JEAN GILLES, JUDE	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 08/23/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/808,211	Applicant(s) ERICKSON ET AL.	
	Examiner Jude J. Jean-Gilles	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 June 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-20 and 22 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-20 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03/14/2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the reply filed on 06/11/2007.

Response to Amendment/Arguments

2. In the claims, no claim has been amended or cancelled in this reply. Claims 2, and 21 have previously been cancelled. Claims **1, 3-20 and 22** are pending. Claims **1, 3-20 and 22** represent a method and apparatus for "MULTIPLE PERSPECTIVE ACTIVITY MAP DISPLAY."

Applicant's arguments with respect to claims 1, 12, and 19 have been carefully considered, but are not deemed fully persuasive. Applicant's arguments are deemed moot in view of the existing ground of rejection as explained here below. Applicants' have made no amendments to the independent claims as to perhaps place them in condition for allowance.

The dependent claims stand rejected as articulated in the Previous Office Action and all objections not addressed in Applicant's response are herein reiterated.

In response to Applicant's arguments, 37 CFR § 1.11(c) requires applicant to "clearly point out the patentable novelty which he or she thinks the claims present in view of the state of the art disclosed by the references cited or the objections made. He or she must show the amendments avoid such references or objections."

Applicant's Request for Reconsideration filed on 06/11/2007 has been carefully considered but is not deemed fully persuasive. However, because there exists the

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likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address Applicants' main points of contention:

A: Applicant contends that Examiner has relied on the figures of Liou to support the rejections. However, several figures relied on are not found in Liou's provisional application. Applicants further note that the non-provisional application of Liou does not pre-date the present application (filing date of July 19, 2001 for Liou versus March 14, 2001 for the present invention), and that only the provisional application of Liou has a filing date earlier than the provisional application relied on by the present application. Thus, Applicants request that the Examiner point to the teachings of Liou's provisional application to support the rejections.

B: Applicants argue that Referring to Claim 1: Liou teaches method for providing a user interface for product exploration and product configuration (see Abstract). Liou does not teach "displaying an activity map comprising at least two perspectives of the environment, wherein each perspective is an abstract graphical display of at least one aspect of the user activity within the environment" as claimed in Claim 1. Liou teaches a literal view of product information (see for example, FIG 1).

Liou's literal view of product information is neither an abstract view nor a view of user activity within an environment. Thus Liou fails to teach an "abstract graphical display of at least one aspect of the user activity within the environment" as claimed in Claim 1.

C: Further, nowhere does Liou teach "displaying a tangible link representing an association between the element of the first perspective and at least one element of a second perspective" as claimed in Claim 1. Liou merely teaches tabs for switching between views of product information, wherein the view are "unique and independent" (see paragraph [0035]). The user interface and tabs of Liou fail to display two perspectives - a tab is clearly not a perspective but merely an object or tool used to switch between the unique and independent views (see Further, nowhere does Liou teach "displaying a tangible link representing an association between the element of the first perspective and at least one element of a second perspective" as claimed in Claim 1. Liou merely teaches tabs for switching between views of product information, wherein the view are "unique and independent" (see paragraph [0035]). The user interface and tabs of Liou fail to display two perspectives - a tab is clearly not a perspective but merely an object or tool used to switch between the unique and independent views (see

As to point A, it is the position of the Examiner that provisional application of Liou predates this invention. The provisional application of Liou has a filing date of July 19, 2000 whereas, this invention has priority date of November, 01, 2000. Furthermore, Applicants have argues that the Office point to the teachings of Liou's provisional application to support the rejection. The Office would like to respectfully remind applicants that Liou's provisional application is available in the PAIR system. The Examiner would like to called to the attention of the applicants' the following figures in Liou's provisional application: figures 1A, 1B, 2, 3, 4, and 5. which are similar to figures

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1, 2, 7, and 8 referred to in the Previous Office Action. See also summary of the invention in page 2, and brief description of the drawings in page 3.

As to point B, The Examiner will not argue that Liou teaches method for providing a user interface for product exploration. However, Liou quite clearly discloses a in a browser search results represented in the form of an activity map (see Liou's provisional application, third paragraph in the detailed description section). Applicants respectfully mischaracterize the prior art reference in this regard. Liou discloses map activities to different and independent perspective of user's concerns (views), showing in 2D or 3D models as one likes.

As to point C, see point B above. Note that users can start exploration choosing one view over another or can combine various perspectives depending on their needs.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1, 3-20 and 22** are rejected under 35 U.S.C. 102(e) as being anticipated by Liou, Pub No. US 2002/0059395 A1.

Regarding **claim 1, 3-20 and 22**, Liou discloses:

1. (Previously Presented) A computer-implemented method for representing user activity within an environment (figs. 1 and 2) comprising the steps of:

displaying an activity map comprising at least two perspectives of the environment (fig. 1), wherein each perspective is an abstract graphical display of at least one aspect of the user activity within the environment (abstract; Par. 0022);

selecting an element of a first perspective, wherein the element of the first perspective is an abstract graphical display of a first predefined characteristic of the user activity within the environment (fig. 1, items 106 and 108; par. 0034-0037); and

displaying a tangible link representing an association between the element of the first perspective and at least one element of a second perspective, wherein each element of the second perspective is an abstract graphical display of a corresponding predefined characteristic of the user activity within the environment (fig. 1, items 102-108).

2. (Cancelled)

3. (Previously Presented) The computer-implemented method of claim 1, further comprising the steps of:

determining a value of at least one predefined characteristic of the user activity (par. 0035-0036); and

dynamically incorporating the value of the at least one predefined characteristic of the user activity in the activity map (par. 0022-0023).

4. (Previously Presented) The computer-implemented method of claim 1, wherein each predefined characteristic of the user activity includes one of a user location, a user status within a hierarchy, a user emotion, and a quality of user conversation (par. 0057).

5. (Previously Presented) The computer-implemented method of claim 1, wherein the tangible link associates the at least two perspectives of the activity map (fig. 1; par. 002-1008).

6. (Previously Presented) The computer-implemented method of claim 1, wherein the tangible link is a line linking a user's activity represented separately in the at least two perspectives of the activity map (figs. 1 and 2).

7. (Original) The computer-implemented method of claim 5, wherein the tangible link is one of a tangible aural cue, and a tangible tactile cue (figs. 1 and 2).

8. (Previously Presented) The computer-implemented method of claim 1, wherein the activity map includes a geographic perspective and a discussion perspective, the two perspectives associated by the user activity within the environment (figs. 7 and 8).

9. (Previously Presented) The computer-implemented method of claim 8, wherein the discussion perspective includes at least one topic, wherein each topic is an element (figs. 7 and 8).

10. (Previously Presented) The computer-implemented method of claim 1, wherein each

perspective is one of a representation of the user activity, and a representation of user input to the environment (figs. 7 and 8; discuss).

11. (Original) The computer-implemented method of claim 1, wherein the environment is a transactional environment (figs. 7 and 8; pricing).

12. (Currently Amended) A program storage device readable by machine, tangibly embodying a program of instructions executable by the machine to perform method steps for interacting with an environment having an aspect (figs. 1 and 2), the method steps comprising:

representing the aspect in an activity map including at least two perspectives of the aspect (abstract; Par. 0022);

representing an activity of a user within the environment, wherein the activity corresponds to the aspect and is represented in each perspective separately (fig. 1, items 106 and 108; par. 0034-0037); and

representing the activity of the user as a tangible link between each perspective of the aspect (fig. 1, items 102-108).

13. (Original) The program storage device of claim 12, wherein the environment is a transactional environment and the user is a market participant (figs. 7 and 8).

14. (Original) The program storage device of claim 12, wherein the activity map includes at least one perspective in which an on-line transaction is conducted (figs. 7 and 8).

15. (Original) The program storage device of claim 12, wherein the tangible link is a tangible cue which associates the perspectives (figs. 1, 7 and 8).

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16. (Previously Presented) The program storage device of claim 12, wherein the tangible link is a line linking a user's activity represented separately in the at least two perspectives of the activity map (figs. 1, 7 and 8).

17. (Original) The program storage device of claim 12, wherein a single perspective incorporates more than one aspect (figs. 1, 7 and 8).

18. (Original) The program storage device of claim 12, wherein the aspect may be represented by more than one perspective (figs. 1, 7 and 8).

19. (Previously Presented) A computer-implemented method for representing a transactional environment having aspects (figs. 7 & 8) comprising the steps of:

displaying at least one different aspect of user activity in each of at least two perspectives of an activity map, wherein the perspectives are associated by the user activity of a market participant, wherein an association between perspectives is represented as a tangible link connecting perspectives, wherein the tangible link is a line linking aspects of the user activity of the market participant represented separately in the at least two associated perspectives of the activity map (abstract; Par. 0022);

providing at least one perspective in which an on-line transaction is conducted between at least two market participants (fig. 1 though the interactive catalog); and

representing the market participant within the activity map (figs. 8 and 9; note that the "browsing profile" and profile database act jointly to display participant's profile) .

20. (Original) The computer-implemented method of claim 19, wherein perspectives of the activity map are associated by market participant activity (figs. 1, 7 and 8).

21. (Cancelled)

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22. (Original) The computer-implemented method of claim 19, wherein the transactional environment is one of a business, a market place, and an auction house (figs. 1, 7 and 8).

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from examiner should be directed to Jude Jean-Gilles whose telephone number is (571) 272-3914. The examiner can normally be reached on Monday-Thursday and every other Friday from 8:00 AM to 5:30 PM.

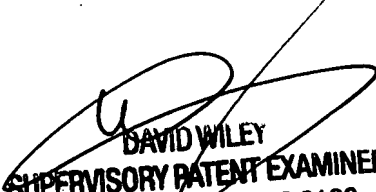
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley, can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3719.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Jude Jean-Gilles

Patent Examiner

Art Unit 2143


DAVID WILEY
SUPERVISORY PATENT EXAMINER
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August 19, 2007